

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT**

Twin Falls District
Shoshone Field Office
400 West F Street
Shoshone, ID. 83352

CATEGORICAL EXCLUSION REVIEW SHEET
NEPA No. DOI-BLM-ID-T030-2016-0022-CX

Project Description

The Bureau of Land Management (BLM) Shoshone Field Office received an application from the Blaine County Recreation District (BCRD) requesting to include the BLM's Lake Creek trails, trailhead, and parking lot with the Galena Lodge Ski School operations currently permitted under the Sawtooth National Recreation Area (SNRA) special use permit issued to BCRD. The BLM's Lake Creek is the closest Nordic facility to the Ketchum/Sun Valley area (see Attachment 1). The BCRD and the Galena Lodge and Ski School operator are requesting to offer adult and youth Nordic lessons for both private individuals and groups from October through April. Maximum total group size would be 30, however a group that large would be divided into subgroups. The staff:customer ratio would be 1:9. Nordic ski lessons and clinics as well as dry land training including: classic and skate skiing, hiking, running, bounding, stretching, and strength exercises would be offered. The activities would take place on the Lake Creek winter trails and not on existing summer trails. However, existing summer trails would be used to access the winter trails to conduct dry land training.

The Special Recreation Permit would include stipulations that BCRD would be required to adhere to (see Attachment 2).

Consideration of Extraordinary Circumstances:

This Consideration of Extraordinary Circumstances Review Sheet documents the review of the proposed action to determine if any of the extraordinary circumstances described in 516 DM 2, Appendix 2 apply. If any of the extraordinary circumstances apply to the proposed action, then an EA or EIS must be prepared. Any evidence or concerns that one or more of the exceptions may apply must be brought to the attention of the manager who is authorized to approve the proposed action.

1. The proposed action would not have any significant impacts on public health or safety.

The proposed action would not impact public health or safety. The BCRD with the Galena Ski School has been permitted by the SNRA since 1994 to provide Nordic ski lessons. Since that time they have had no public health or safety violations or documented impacts to other users.

2. The proposed action would not have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands;

wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.

There are no unique geographic characteristics, park, or refuge lands or wilderness areas, wild or scenic rivers, national natural landmarks, sole or principal drinking water aquifers, prime farmlands, national monuments, or other ecologically significant or critical areas within or at the proposed permit area.

The proposed action would be within a BLM Special Recreation Management Area (SRMA), however the SRMA is designated for the purposes of non-motorized activities including Nordic skiing. The Sun Valley Ski Education Foundation also uses the area for Nordic skiing and training so fall and winter recreation use patterns in the area are established and no significant impacts from additional use are expected.

There are wetlands and floodplains within the proposed permit area. The Big Wood River is crossed using an existing foot-bridge and the floodplain is crossed using the existing Nordic ski trail that has been in place for over 30 years. Previous use has resulted in no significant impacts to the wetlands or floodplains.

A Special Status Animal Species Assessment was conducted for this project and found that the proposed action would not result in a detectable change in the amount of suitable habitat for the 19 BLM Sensitive animal species identified as potentially affected by the action.

A Biological Assessment was conducted to assess impacts and make an effects determination relative to the Yellow-billed cuckoo; the assessment concluded that the proposal would have no effect on the Yellow-billed cuckoo.

3. The proposed action would not have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].

The proposed action is not expected to cause public controversy since the area has been used for the purposes of Nordic skiing and non-motorized activities for over 30 years.

4. The proposed action would not have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

Impacts from the proposed action are predictable. Environmental impacts would be similar to Nordic skiing and trail use that has occurred in the area for over 30 years.

5. The proposed action would not establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.

The proposed action does not establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects. The proposed action is not connected to another action that would require further environmental analysis and it would not set a precedent for future actions that would normally require environmental analysis. The decision to grant a special recreation permit to operate Nordic ski school activities on public lands as described would only allow that action to occur. Any proposed future projects must be evaluated on their own merits and effects. The proposed action would not significantly reduce other values/resources in the area.

6. The proposed action would not have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

This action does not have a direct relationship with any other actions that may have individually insignificant but cumulatively significant environmental effects. The granted special recreation permit would authorize the BCRD and Galena Ski School to operate Nordic ski school activities on public lands in the Lake Creek Recreation site area. Authorizing the special recreation permit does not have a direct relationship with other actions.

7. The proposed action would not have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.

A cultural resource review and survey conducted on April 20, 2015 identified no cultural resources on the existing trails or the surrounding area. . Based on the information from the review it was determined with concurrence from the State Historical Preservation Office (SHPO) that no eligible cultural resources would be affected by the proposed action.

8. The proposed action would not have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated critical habitat for these species.

The listed, proposed or candidate species that may occur in the proposed project area during the planned activity period are the Yellow-billed cuckoo and Canada lynx. A Biological Assessment was conducted to assess impacts and determine effects of the proposed action relative to the Yellow-billed cuckoo critical habitat and lifecycle needs that concluded the proposal would have no effect on the species. It was also determined there would be no effect on Canada lynx.

The proposed action does not include any Greater Sage-Grouse habitat.

9. The proposed action would not violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.

The BLM issues special recreation permits in accordance with section 304 of the Federal Land Policy and Management Act of 1976, 43 CFR Part 2930, BLM Manual and Handbook H-2930-1 (Recreation Permit Administration) and Office of Management and Budget Circular A-25 (revised 7/8/93). Under these regulations the proposed special recreation permit would specify that all applicable Federal, State and local laws be adhered to. The BLM has the ability to

suspend and/or terminate the special recreation permit if a Federal, State or local laws is violated. There are no tribal laws in effect for the project area.

10. The proposed action would not have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

There have been no know impacts to minority or low income populations as a result of granting similar special recreation permits. This proposal would not disproportionately affect low income or minority populations within the project area or surrounding areas of Blaine County as the trails would still be available for the same level of public use as available prior to the granting of a special recreation permit.

11. The proposed action would not limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).

Authorizing the proposed special recreation permit will not change access to the public lands within the area.

12. The proposed action would not contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

A site visit was completed on July 25, 2015 to document the presence of special status species and/or noxious weeds. Diffuse knapweed (*Centaurea diffusa*), spotted knapweed (*Centaurea stoebe*), Russian knapweed (*Centaurea repens*), and dalmatian toadflax (*Linaria dalmatica*), all listed as noxious weeds in the state of Idaho, has been treated around the project. Diffuse knapweed and spotted knapweed are both present around the existing trails.

It is unlikely that the proposed project would result in introduction, or spread of weedy plants beyond the current level. It is unlikely that the level and timing of the proposed activities will contribute to any measurable contribution to the noxious weed population and spread.

Participating Staff

John Kurtz, Outdoor Recreation Planner

Lisa Cresswell, Archeologist

Gary Wright, Wildlife Biologist

Kasey Prestwich, Realty Specialist

Danelle Nance, Natural Resourced Specialist

Lynn Pettingill, Natural Resource Specialist

Michael Callen, Natural Resource Specialist

Tom Askew, Physical Scientist

Joe Russell, Natural Resourced Specialist

John Garth, Geologist

Attachments

Attachment 1: Map of the proposed project area

Attachment 2: Special Recreation Permit stipulations

Attachment 2

BLM SRP Stipulations and Additional Stipulations for Blaine County Recreation District/Galena Ski School

This operating plan and stipulations are part of your Special Recreation Permit, and will describe the responsibilities, requirements, and administrative procedures pertinent to Special Recreation Use Permits issued by the BLM for outfitting and guiding in Hunt Unit 44.

Outfitter:

Official Name
of Business:

Business Address:

Telephone Number:

E-mail Address: _____

I have reviewed the attached operating plan and agree to operate under its provisions.

Signature

Date

Stipulations as found on SRP Permit Form 2930-2 (March 2014)

1. The permittee shall comply with all Federal, State, and local laws; ordinances; regulations; orders; postings; or written requirements applicable to the area or operations covered by the Special Recreation Permit (SRP or permit). The permittee shall ensure that all persons operating under the authorization have obtained all required Federal, State, and local licenses or registrations. The permittee shall make every reasonable effort to ensure compliance with these requirements by all agents of the permittee and by all clients, customers, participants, and spectators.
2. An SRP authorizes special uses of the public lands and related waters and, should circumstances warrant, the permit may be modified by the BLM at any time, including modification of the amount of use. The authorized officer may suspend or terminate an SRP if necessary to protect public resources, health, safety, the environment, or because of non-compliance with permit stipulations. Actions by the BLM to suspend or terminate an SRP are appealable.
3. No value shall be assigned to or claimed for the permit, or for the occupancy or use of Federal lands or related waters granted thereupon. The permit privileges are not to be considered property on which the permittee shall be entitled to earn or receive any return, income, price, or compensation. The use of a permit as collateral is not recognized by the BLM.
4. Unless expressly stated, the SRP does not create an exclusive right of use of an area by the permittee. The permittee shall not interfere with other valid uses of the federal land by other users. The United States reserves the right to use any part of the area for any purpose. The BLM reserves the right to close various sites and/or areas of the public land to prevent resource damage and use conflicts, and to promote visitor safety.
5. The permittee or permittee's representative may not assign, contract, or sublease any portion of the permit authorization or interest therein, directly or indirectly, voluntarily or involuntarily. However, contracting of equipment or services may be approved by the authorized officer in advance, if necessary to supplement a permittee's operations. Such contracting should not constitute more than half the required equipment or services for any one trip or activity and the permittee must retain operational control of the permitted activity. If equipment or services are contracted, the permittee shall continue to be responsible for compliance with all stipulations and conditions of the permit.
6. All advertising and representations made to the public and the authorized officer must be accurate. Although the addresses and telephone numbers of the BLM may be included in advertising materials, official agency symbols may not be used. The permittee shall not use advertising that attempts to portray or represent the activities as being conducted by the BLM. The permittee may not portray or represent the permit fee as a special federal user's tax. The permittee must furnish the authorized officer with any current brochure and price list if requested by the authorized officer.

7. The permittee assumes responsibility for inspecting the permitted area for any existing or new hazardous conditions, e.g., trail and route conditions, landslides, avalanches, rocks, changing water or weather conditions, falling limbs or trees, submerged objects, hazardous flora/fauna, abandoned mines, or other hazards that present risks for which the permittee assumes responsibility.
8. In the event of default on any mortgage or other indebtedness, such as bankruptcy, creditors shall not succeed to the operating rights or privileges of the permittee's SRP.
9. The permittee cannot, unless specifically authorized, erect, construct, or place any building, structure, or other fixture on public lands. Upon leaving, the lands must be restored as nearly as possible to pre-existing conditions.
10. The permittee must present or display a copy of the SRP to an authorized officer's representative, or law enforcement personnel upon request. If required, the permittee must display a copy of the permit or other identification tag on equipment used during the period of authorized use.
11. The authorized officer, or other duly authorized representative of the BLM, may examine any of the records or other documents related to the permit, the permittee or the permittee's operator, employee, or agent for up to three years after expiration of the permit.
12. The permittee must submit a post-use report to the authorized officer according to the due dates shown on the permit. If the post-use report is not received by the established deadline, the permit will be suspended and/or late fees assessed.
13. The permittee shall notify the authorized officer of any incident that occurs while involved in activities authorized by this permit, which result in death, personal injury requiring hospitalization or emergency evacuation, or in property damage greater than \$2,500 (lesser amounts if established by State law). Reports should be submitted within 24 hours.

ADDITIONAL STIPULATIONS

14. The permittee, employees, and clients will not interfere with other valid uses occurring on the public land such as grazing, mining, and other recreational uses (including commercial and private).
15. The permittee will be responsible for the prompt repair of any damages to utilities, fences and other improvements. The permittee shall take every reasonable precaution to protect natural resource values and any improvement on both private and public lands.
16. A Post Use Report will be submitted within 30 days after the end of your use season or no later than December 31. End of season use fee payments must be received by BLM when the Post Use Report is submitted.

17. No collection/removal of archaeological resources is authorized under this permit. No vandalism, surface disturbance, or excavation of archaeological materials is allowed. All outfitters, guides, and clients shall abide by all current federal regulations pertaining to archaeological resources as provided in BLM Manual 8110 and the Archaeological Resources Protection Act (ARPA).
18. Should human remains be inadvertently discovered on BLM lands, the remains should be left in place, a GPS position recorded, and the find reported to the BLM authorized officer immediately as required by the Native American Graves Protection and Repatriation Act (NAGPRA). Recorded locations of such finds shall be kept confidential, reported to the BLM, and any subsequent records disposed of after reporting.
19. The permittee is not authorized to camp at the Lake Creek Trailhead as it is a “Day Use” facility. Vehicles may not be left overnight at the trailhead.
20. All Trash will be removed by the permit holder.
21. Food and/or equipment caches will not be allowed unless prior approval is obtained from BLM’s authorized officer.
22. Standing trees (alive or dead) may not be cut or removed.
23. Campfires are not allowed at the Lake Creek Trailhead.
24. The permittee may be held responsible for fire suppression costs resulting from wildfire caused by permittee, employees or clients.
25. Wildfire should be reported immediately to the Interagency Fire Dispatch Center in Shoshone. The permittee is responsible for informing employees and clients of the current fire danger and required precautions that may be placed in effect by the BLM.
26. The permittee is prohibited from inhibiting, limiting or reducing access to public lands within the permit area. Leave approximately 5 – 10 parking spaces available for the general public.
27. Vehicles must stay on existing roads and ways. No cross country use of motorized or mechanized vehicles is authorized except in an emergency situation.
28. Issuance of a permit by BLM does not guarantee the permittee’s use of specific public areas, nor does it grant the exclusive use of any area by the permittee.
29. The BLM recognizes and endorses the use of the principles of Leave No Trace and Tread Lightly as appropriate wildland ethical behavior for the recreating public. The principles of these two programs are listed below.

LEAVE NO TRACE

Reference the full LNT booklet at: <http://www.lnt.org/TeachingLNT/LNTEnglish.php>

Plan Ahead and Prepare

Know the area and what to expect, travel in small groups, select appropriate equipment, and repack food to reduce litter at the source.

Camp and Travel on Durable Surfaces

Concentrate use in popular areas, spread use in remote areas, avoid places where impact is just beginning.

Pack It In, Pack It Out

Reduce litter at the source by repackaging food, dispose of trash and garbage properly.

Properly Dispose of What You Can't Pack Out

Dispose of human waste responsibly, minimize soap and food scraps in waste water, avoid contaminating water sources when washing, and dispose of fishing and hunting waste appropriately.

Leave What You Find

Minimize site alterations, avoid damaging trees and plants, leave natural objects and cultural artifacts, avoid disturbing wildlife, reduce your impact on other users.

Minimize Use and Impact From Fires

Be aware of regulations and weather conditions. Stoves are often the best option. If you must build a fire, use existing fire rings. Collect only dead and downed wood or bring your own.

TREAD LIGHTLY!

Reference the details of principles at:

<http://www.treadlightly.org/edu.mv?edu=Recreation%20Tips>

Travel only where permitted.

Know what areas/roads/trails are open to vehicles.

Respect the rights of others.

Be considerate of others on the roads/trail that you travel. Vehicles yield the right-of-way to bicycles, hikers, and horses.

Educate yourself.

Obtain information on your destination before you go. If you have questions contact the managing agency of the area(s) you are visiting.

Avoid streams, meadows, wildlife areas, etc.

Be aware of wildlife habitat. Crashing through underbrush or across open meadows upsets the balance of nature, destroys nesting sites, and disturbs wildlife.

Drive and travel responsibly.

Use common sense. Avoid muddy roads and trails and stay out of meadows and wetlands.

These principles of Leave No Trace and Tread Lightly! programs are recommended as a guide to minimizing signs of visitation to the expansive and varied BLM-administered public lands. These principles are intended to support and complement BLM regulations. Additional information on the Leave No Trace and Tread Lightly! programs are available at the BLM Shoshone Field Office or on their respective internet sites.